

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ALREE B. SWEAT III,

Plaintiff,

v.

No. 15-cv-0226 RB/SMV

**CITY OF LAS CRUCES,
JAIME MONTOYA, MIRANDA BAKER,
PAUL LUJAN, and FNU SANCHEZ,**

Defendants.

ORDER GRANTING EXTENSION OF TIME TO CURE DEFICIENCY

This matter is before the Court sua sponte. On March 23, 2015, on review of Plaintiff's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 [Doc. 2], this Court issued an Order to Cure Deficiency [Doc. 5]. The Order to Cure Deficiency required Plaintiff to file, within 30 days, a current certified copy of his inmate account statement for the immediately preceding 6-month period pursuant to 28 U.S.C. § 1915(a)(2). [Doc. 5]. Plaintiff subsequently informed the Court via a letter docketed on April 20, 2015, that he had been transported temporarily to the Doña Ana County Detention Center on March 12, 2015. [Doc. 6]. On April 24, 2015, the Clerk mailed the Order to Cure Deficiency to Plaintiff's new address at the Doña Ana County Detention Center. The same date, Plaintiff informed the Court that he was still being held at the Doña Ana County Detention Center, awaiting transport back to the Lea County Correctional Facility, and that he has not received any mail from the Court. [Doc. 7]. Plaintiff asked the Court to excuse his failure to comply "with any orders by the courts" because he "does not know what he must comply with nor is [he] aware of the status of his case." *Id.*

Based on the foregoing, the Court will grant Plaintiff a **30-day extension** of time in which to file a **current certified copy of Plaintiff's inmate account statement** for the 6 months immediately preceding the filing of the account statement. *See* 28 U.S.C. § 1915(a)(2). Failure to cure the designated deficiency within **30 days** from entry of this order may result in dismissal of this action without further notice.

The Court reminds Plaintiff that he is obligated to notify the Court in writing of any change of his address in the future. *See* D.N.M.LR-Civ 83.6.

IT IS THEREFORE ORDERED that Plaintiff cure the deficiency designated above within **30 days** from the date of this order.

IT IS FURTHER ORDERED that the Clerk is directed to forward a copy of this Order to Plaintiff at the Doña Ana County Detention Center.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge